

NOTE: CHANGES HAVE BEEN
MADE TO THIS DOCUMENT

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6 Attorneys for Construction Laborers Trust Funds for Southern California Administrative Company, LLC

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

CONSTRUCTION LABORERS TRUST
FUNDS FOR SOUTHERN CALIFORNIA
ADMINISTRATIVE COMPANY, a
Delaware limited liability company,

Plaintiff.

VS.

17 RAMIREZ CONSTRUCTION INC., a
18 California corporation; JOSE LUIS
19 RAMIREZ, an individual; and SYLVIA
RAMIREZ, an individual, and DOE 1 through
DOE 10, inclusive,

Defendants.

CASE NUMBER

CV 08-07107 GAF(SSx)

JUDGMENT AND PERMANENT INJUNCTION

DATE: January 11, 2010

TIME: 9:30 a.m.

PLACE: Courtroom 740
Roybal Federal Bldg
255 E. Temple Street
Los Angeles, CA 900

23 The Defendants, RAMIREZ CONSTRUCTION INC., a California
24 corporation; JOSE LUIS RAMIREZ, an individual; and SILVIA RAMIREZ, an
25 individual were served with process; failed to appear and answer the Plaintiff's First
26 Amended Complaint, and the default of each Defendant has been entered.

27 RAMIREZ CONSTRUCTION, JOSE LUIS RAMIREZ, and SILVIA
28 RAMIREZ are not infants, or incompetent persons, and the Soldiers and Sailor's

1 Relief Act of 1940, now, the Servicemembers Civil Relief Act of 2003 is not
2 applicable to this suit or to the Defendants.

3 The issues of the amount of damages and whether or not there is sufficient
4 evidence to support the issuance of a Judgment and Permanent Injunction were
5 submitted to the Court by motion supported by Declarations.

6 Based upon the Motion for Default Judgment, and for Permanent Injunction,
7 the Declarations submitted, Memorandum of Points and Authorities, and all other
8 records and documents on file;

9
10 IT IS HEREBY ORDERED ADJUDGED AND DECREED that:

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12 1. Judgment is entered in favor of Plaintiff, CONSTRUCTION
13 LABORERS TRUST FUNDS FOR SOUTHERN CALIFORNIA
14 ADMINISTRATIVE COMPANY, LLC, the administrator, agent for collection and a
15 fiduciary to the LABORERS HEALTH AND WELFARE TRUST FUND FOR
16 SOUTHERN CALIFORNIA; CONSTRUCTION LABORERS PENSION TRUST
17 FOR SOUTHERN CALIFORNIA; CONSTRUCTION LABORERS VACATION
18 TRUST FOR SOUTHERN CALIFORNIA; LABORERS TRAINING AND
19 RE-TRAINING TRUST FUND FOR SOUTHERN CALIFORNIA; FUND FOR
20 CONSTRUCTION INDUSTRY ADVANCEMENT, CENTER FOR CONTRACT
21 COMPLIANCE and LABORERS CONTRACT ADMINISTRATION TRUST
22 FUND FOR SOUTHERN CALIFORNIA; (hereinafter collectively "TRUST
23 FUNDS"), and against RAMIREZ CONSTRUCTION INC., a California
24 corporation; JOSE LUIS RAMIREZ, an individual; and SILVIA RAMIREZ, an
25 individual, for \$6,033.42 in attorney's fees, and \$547.57 for costs of suit, for a total
26 Judgment sum of 6,580.99.

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1 2. The money judgment entered in this action is based upon known
2 delinquencies incurred by Defendants during the period from September 15, 2007
3 through October 2009. The audits of EMPLOYER'S records covered the period
4 through September 30, 2009 only; therefore, as to the judgment period for October
5 2009, entry of the money judgment in this action shall not be or operate as a bar
6 and/or res judicata as to either the amount of delinquencies which may be discovered
7 by any subsequent audit conducted by Plaintiff and/or the TRUST FUNDS'
8 representatives and/or which may be disclosed through claims by employees, and in
9 any action brought to recover the subsequently disclosed delinquencies for October
10 2009.

12 3. IT IS FURTHER ORDERED ADJUDGED AND DECREED, JOSE
13 LUIS RAMIREZ, and SILVIA RAMIREZ, and RAMIREZ CONSTRUCTION,
14 INC. and its managing officers, managing employees, successors, agents, and all
15 other acting in active concert or participation with them, are required to:

17 Deliver, or cause to be delivered, to the offices of the Construction
18 Laborers Trust Funds for Southern California no later than 4:30 p.m., on
19 the 20th day of each month for the remainder of the time the collective
20 bargaining agreement remains in effect commencing with the
21 **February, 2010** contribution report, the following items:

23 (i) A complete, truthful, and accurate "Employers
24 Monthly Report to Trustees", covering all hours
25 worked by employees or paid to the employees of
26 EMPLOYER covered under the terms of the
27 Collective Bargaining Agreement with the Southern
28 California District Council of Laborers;

1 (ii) A Cashier's check or certified check for the full
2 amount shown as owing by said report payable to
3 the Construction Laborers Trust Funds for Southern
4 California.

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6 **THE FAILURE OF EMPLOYER TO COMPLY WITH THIS ORDER**
7 **MAY BE GROUNDS FOR CONTEMPT OF COURT.**

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10 DATED: February 3, 2010

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12 GARY A. FEESS, JUDGE OF THE
13 UNITED STATES DISTRICT COURT
14 CENTRAL DISTRICT OF CALIFORNIA

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